

FORM PTO-220 (Modified) (REV. 11-2001)		DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTORNEY'S DOCKET NUMBER RDID0043US
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371				U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR 09/554,793
INTERNATIONAL APPLICATION NO. PCT/EP98/07854	INTERNATIONAL FILING DATE 3 December 1998	PRIORITY DATE CLAIMED 4 December 1997		
TITLE OF INVENTION Capillary Active Test Element Having An Intermediate Layer Situated Between the Support and the Covering				
APPLICANT(S) FOR DO/EO/US Volker ZIMMER				
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:				
<ol style="list-style-type: none">1. <input type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.2. <input checked="" type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).4. <input type="checkbox"/> A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371 (c) (2))<ol style="list-style-type: none">a. <input type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau).b. <input type="checkbox"/> has been transmitted by the International Bureau.c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).6. <input type="checkbox"/> A translation of the International Application into English (35 U.S.C. 371(c)(2)).7. <input type="checkbox"/> A copy of the International Search Report (PCT/ISA/210).8. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))<ol style="list-style-type: none">a. <input type="checkbox"/> are transmitted herewith (required only if not transmitted by the International Bureau).b. <input type="checkbox"/> have been transmitted by the International Bureau.c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.d. <input type="checkbox"/> have not been made and will not be made.9. <input type="checkbox"/> A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).10. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).11. <input type="checkbox"/> A copy of the International Preliminary Examination Report (PCT/IPEA/409).12. <input checked="" type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).				
Items 13 to 20 below concern document(s) or information included:				
<ol style="list-style-type: none">13. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.14. <input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. (duplicate)15. <input checked="" type="checkbox"/> A FIRST preliminary amendment.16. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment.17. <input type="checkbox"/> A substitute specification.18. <input type="checkbox"/> A change of power of attorney and/or address letter.19. <input type="checkbox"/> Certificate of Mailing by Express Mail20. <input checked="" type="checkbox"/> Other items or information:				
Petition for extension of time under 37 CFR 1.136(a) (in duplicate) Return postcard. Copy of Notification of Missing Requirements				

09/554793



UNITED STATES DEPARTMENT OF COMMERCE

Patent and Trademark Office

Address: ASSISTANT COMMISSIONER FOR PATENTS

Box PCT
Washington, D.C. 20231

RDID 0043 US

U.S. APPLICATION NO. 09/554,793	FIRST NAMED APPLICANT ZIMMER	ATTY. DOCKET NO.
------------------------------------	---------------------------------	------------------

V	RDID0043US
INTERNATIONAL APPLICATION NO.	

JILL LYNN WOODBURN
ROCHE DIAGNOSTICS CORPORATION
9115 HAGUE ROAD
P O BOX 50457 BUILDING D
INDIANAPOLIS IN 46250-0457

5071

PCT/EP98/07854

I.A. FILING DATE	PRIORITY DATE
------------------	---------------

12/03/98

12/04/97

DATE MAILED:

06/29/00

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as

- ☐ a Designated Office (37 CFR 1.494),
☒ an Elected Office (37 CFR 1.495):

☒ U.S. Basic National Fee.

☒ Copy of the international application in:

- ☒ a non-English language.
☐ English.

☒ Translation of the international application into English.

☐ Oath or Declaration of inventors(s) for DO/EO/US.

☐ Copy of Article 19 amendments.

☐ Translation of Article 19 amendments into English.

☒ The International Preliminary Examination Report in English and its **PATENT DEPT.**

☐ Translation of Annexes to the International Preliminary Examination Report into English.

☐ Preliminary amendment(s) filed _____ and _____

☒ Information Disclosure Statement(s) filed 19 May 00 and _____

☐ Assignment document.

☐ Power of Attorney and/or Change of Address.

☐ Substitute specification filed _____

☐ Statement Claiming Small Entity Status.

☒ Priority Document.

☒ Copy of the International Search Report ☒ and copies of the references cited therein.

☒ Other: 306

2. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- ☐ a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.

☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.

- ☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).

- ☒ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

☐ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.

- ☒ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

3. Additional claim fees of \$ _____ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.

ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY ☐ 21 OR ☒ 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

4. Translation of the Annexes **MUST** be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.

5. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

A copy of this notice MUST be returned with this response.

Enclosed: ☐ PCT/DO/EO/917 ☐ Notice of Defective Translation

☐ PTO-875

FORM PCT/DO/EO/905 (December 1997)

Telephone: (703)

Kaya Baltimore

National Stage Process

(703) 305-3085